



United States Attorney
District of New Jersey

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February 25, 2009

VIA COURTHOUSE MAIL

Honorable Peter G. Sheridan
United States District Court
Martin Luther King, Jr. Federal Building & Courthouse
50 Walnut Street, Room 4C
Newark, N.J. 07101

Re: United States v. Samba Diabate
Crim. No. 08-808

Dear Judge Sheridan.:

I write to respectfully request an adjournment of the sentencing in the above-captioned case, which is currently scheduled for March 3, 2009. The reason for this request is that, pursuant to the plea agreement, Mr. Diabate may move for a downward departure based on his medical condition. However, the government has not yet received the medical records from Mr. Diabate. Once the government obtains these records, it will forward them to a doctor at the Bureau of Prisons for review and to determine whether the Bureau of Prisons can adequately care for Mr. Diabate. In addition, the government requests the adjournment because the undersigned Assistant United States Attorney will be out of the state at the currently scheduled time.

I have contacted the defense counsel, and he has consented to the adjournment. Defense counsel did request that the sentencing take place in March so that Mr. Diabate can move to the next phase of his case. Your attention to this matter is greatly appreciated. Thank you.

Respectfully,

RALPH J. MARRA, JR.
Acting United States Attorney

By: BRIAN L. URBANO
Assistant United States Attorney

Sentence is at
April 2, 2009 at 12:00
in Trenton
SO ORDERED: T. Marra
DATED: 3/8/09

Encl.

cc: Ravi Bhalla, Esq.